

P.C. 0009.96



PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re application of)
)
PEGGY M. TOMASULA) Group Art Unit 1761
) Examiner P. Dubois
Production of High Protein)
Concentrates)
)
Serial No. 09/247,219)
)
Filed February 10, 1999)

The Honorable
The Assistant Commissioner of Patents
Sir:

EXTENSION OF TIME

Applicant hereby petitions for a one-month extension of time to respond to the Office Action mailed June 22, 2001, thereby extending the period for response to October 22, 2001. Please charge the \$110.00 fee for said extension and any deficiencies in fees to deposit account 01-0455.

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Appeals from the decision dated June 22, 2001, of the Primary Examiner rejecting Claims 2, 4-6, 9, 11-13 and 15-19.

The Commissioner is hereby authorized to charge the fee of \$320.00 to Deposit Account No. 01-0455.

Respectfully submitted,

CURTIS P. RIBANDO, Agent of Record
Registration No. 27,976

Peoria, IL

309/681-6512
309/681-6688 (FAX)
202/720-5474

10/18/2001 AWONDAF1 00000013 010455 09247219

01 FC:119 320.00 CH
02 FC:115 110.00 CH

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an Envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on

October 9, 2001
(Date of Deposit)

Curtis P. Ribando
Name of Depositor

Signature

October 9, 2001
Date of Signature

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OCT 17 2001
TC 1700

AP/1761 \$
10-12-01
CW

FEE TRANSMITTAL FY2002



Total Amount of Payment **\$ 430.00**

Complete If Known:

Application Number: 09/247,219
Filing Date: February 10, 1999
First Named Inventor: Peggy M. Tomasula
Examiner Name: P. Dubois
Group/Art Unit: 1761
Attorney Docket Number: 0009.96

Method of Payment

1. The Commissioner is hereby authorized to charge any fees set forth in CFR §§ 1.116 to 1.118 to the Deposit Account listed below for the entire pendency of the application, or credit any overpayment to this account. A duplicate copy of this sheet is enclosed:

Deposit Account Number: **01-0455**

Deposit Account Name: **USDA-ARS-OTT**

Fee Calculation:

1. Basic Filing Fee

| Large Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|------------------------|----------|
| 101 | 740.00 | Utility Filing Fee | |
| 106 | 330.00 | Design Filing Fee | |
| 107 | 510.00 | Plant Filing Fee | |
| 108 | 740.00 | Reissue Filing Fee | |
| 114 | 160.00 | Provisional Filing Fee | |
| SUBTOTAL (1) | | | \$ 0.00 |

2. Extra Claim Fees

| Total Claims | Extra Claims | Fee From Below | Fee Paid |
|--------------------|--------------|----------------|----------|
| -20** = | X | 18.00 | - |
| Independent Claims | | | |
| - 3** = | X | 84.00 | - |
| Multiple Dependent | | | |
| - X | | | - |

** or number previously paid, if greater; For Reissues, see below

| Large Fee Code | Entity Fee (\$) | Fee Description |
|----------------|-----------------|---|
| 103 | 18.00 | Claims in excess of 20 |
| 102 | 84.00 | Independent claims in excess of 3 |
| 104 | 280.00 | Multiple dependent claims, if not paid |
| 109 | 84.00 ** | Reissue independent claims over original patent |
| 110 | 18.00 ** | Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$

FEE CALCULATION (Continued)

3. Additional Fees

| Large Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|--|----------|
| 105 | 130.00 | Surcharge - late filing fee or oath | |
| 127 | 50.00 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130.00 | Non-English specification | |
| 147 | 2,520.00 | For filing a request for examination | |
| 112 | 920.00* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840.00* | Requesting publication of SIR after Examiner action | |
| 115 | 110.00 | Extension for reply within first month | 110.00 |
| 116 | 400.00 | Extension for reply within second month | |
| 117 | 920.00 | Extension for reply within third month | |
| 118 | 1,440.00 | Extension for reply within fourth month | |
| 128 | 1,960.00 | Extension for reply within fifth month | |
| 119 | 320.00 | Notice of Appeal | 320.00 |
| 120 | 320.00 | Filing a brief in support of an appeal | |
| 121 | 280.00 | Request an oral hearing | |
| 138 | 1,510.00 | Petition to institute a public use proceeding | |
| 140 | 110.00 | Petition to revive - unavoidable | |
| 141 | 1,280.00 | Petition to revive - unintentional | |
| 142 | 1,280.00 | Utility issue fee (or reissue) | |
| 143 | 460.00 | Design issue fee | |
| 144 | 620.00 | Plant issue Fee | |
| 122 | 130.00 | Petitions to the Commissioner | |
| 123 | 50.00 | Petitions related to provisional applications | |
| 126 | 180.00 | Submission of Information Disclosure Statement | |
| 581 | 40.00 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740.00 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740.00 | For each additional invention to be examined (37 CFR § 1.129(b)) | |

Other Fee (specify) _____

Other Fee (specify) _____

* Reduced by Basic Filing Paid

SUBTOTAL (3) \$ 430.00

| | | | | | |
|-------------------|-------------------|-----------------------------------|--------|-----------|----------------------------------|
| Submitted By | | | | | |
| Name (Print/Type) | Curtis P. Ribando | Registration No. (Attorney/Agent) | 27,976 | Telephone | 309/681-6512 309/681-6688 FAX |
| Signature | | | | Date | 10-09-01 |

Fees current as of 10/01/2001

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on

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